

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

| | | |
|--------------------------------------|---|------------------|
| AMERICAN CIVIL LIBERTIES UNION, |) | |
| <i>et al.</i> , |) | |
| |) | |
| Plaintiffs |) | |
| |) | |
| v. |) | Civil Action No. |
| |) | 98-CV-5591 |
| ALBERTO R. GONZALES, in his official |) | |
| capacity as Attorney General of |) | |
| the United States. |) | |
| |) | |
| Defendant. |) | |

**DEFENDANT’S UNOPPOSED MOTION TO
FILE DOCUMENTS UNDER SEAL PURSUANT TO PROTECTIVE ORDER**

Pursuant to Local Rule 5.1.5(a)(2), Defendant, Attorney General Alberto Gonzales, through counsel, hereby moves to file documents under seal pursuant to paragraph 8 of the Protective Order entered in this case (Doc. No. 202). Specifically, defendant moves this Court to file Defendants’ Motion To Exclude Certain Testimony of Michael A. Russo and Testimony of Henry Reichman under seal because both the supporting memorandum and exhibits refer to, quote, and include material that plaintiffs have designated subject to the Protective Order entered in this case. Pursuant to the Protective Order, defendant will file a redacted version of this motion shortly.

Pursuant to Local Rule 26.1(f), defendant hereby certifies that the parties met and conferred about this motion. Plaintiffs do not oppose this motion.

CONCLUSION

For the reasons set forth herein, this Court should grant defendant's unopposed motion to file documents under seal.

Dated: September 1, 2006

Respectfully Submitted,

PETER D. KEISLER
Assistant Attorney General

PATRICK L. MEEHAN
United States Attorney

RICHARD BERNSTEIN
Assistant U.S. Attorney

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Senior Trial Counsel

/s/ James D. Todd, Jr.
JAMES D. TODD, JR.
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Attorneys for Defendant

CERTIFICATE OF SERVICE

I hereby certify that on June 20, 2006, a copy of Defendants' Unopposed Motion To File Documents Under Seal Pursuant to Protective Order, together with Proposed Order, was filed electronically via the Court's ECF system, through which a notice of the filing will be sent to:

Aden Fine
American Civil Liberties Union Foundation
125 Broad Street
New York, NY 10004

Attorney for Plaintiffs

/s/ James D. Todd, Jr.
JAMES D. TODD, JR.